

DONALD R. ANTONELLI
MELVIN KRAUS
WILLIAM I. SOLOMON*
GREGORY E. MONTONE
RONALD J. SHORE
DONALD E. STOUT
ALAN E. SCHIAVELLI
JAMES N. DRESSER
CARL I. BRUNDIDGE*
PAUL J. SKWIERAWSKI*
HUNG H. BUI*
ALFRED A. STADNICKI*
*ADMITTED OTHER THAN VA

LAW OFFICES
ANTONELLI, TERRY, STOUT & KRAUS, LLP

SUITE 1800
1300 NORTH SEVENTEENTH STREET
ARLINGTON, VIRGINIA 22209

TELEPHONE (703) 312-6600
FACSIMILE (703) 312-6666
email@antonelli.com

OF COUNSEL
DAVID T. TERRY
HAROLD A. WILLIAMSON*
FREDERICK D. BAILEY
DAVID C. OREN
RALPH T. WEBB*
STERLING W. CHANDLER*
PATENT AGENT
LARRY N. ANAGNOS

VIA FACSIMILE - 7 PAGES (Including This Cover)

Commissioner for Patents
POB 1450, Alexandria, VA 22313-1450
Attention: B. Sisson, Group AU 1634
Transmitted to TC 1600 **BEFORE FINAL** Fax No. 703-872-9306

Re: OSHIDA *et al.*, Serial No. 09/678,652RCE
Attorney Docket No. 500.39147X00
USPTO Conf. No. 7028

RECEIVED
CENTRAL FAX CENTER
OCT 16 2003

OFFICIAL

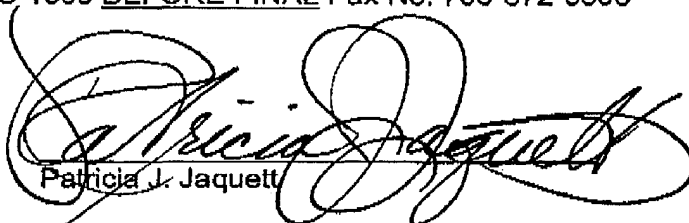
SUBMISSION OF STATEMENTS OF SUBSTANCE

Sir:

Applicant hereby formally submits the attached "Statements of Substance" (6 pgs.) in the above-identified application.

CERTIFICATE OF TRANSMISSION:

I hereby certify that the attached "Statements of Substance" (6 pgs.) is being **FORMALLY** filed in the USPTO via TC 1600 **BEFORE FINAL** Fax No. 703-872-9306 on **15 October 2003.**


Patricia J. Jaquett

CONFIDENTIALITY NOTICE: The documents accompanying this facsimile transmission contain confidential information belonging to the sender which is legally privileged. This information is intended only for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original document to us.

500.39147X00/E5532-01EX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshitada OSHIDA *et al.*
Serial No.: 09/678,652RCE
Filed: 4 October 2000
For: METHOD OF INSPECTING A DNA
CHIP AND AN APPARATUS THEREOF
Group: 1634
Examiner: Bradley L. Sisson
Conf. No.: 7028

OFFICIAL**RECEIVED
CENTRAL FAX CENTER
OCT 16 2003****STATEMENTS OF SUBSTANCE**

Mail Stop RCE
Commissioner for Patents
POB 1450
Alexandria, VA 22313-1450

15 October 2003

Sir:

The following Statements of Substance of Interview is respectfully submitted.

STATEMENTS OF SUBSTANCE/EXAMINER INTERVIEWS ACKNOWLEDGED

The following pertains to the personal and telephonic Examiner Interviews held by and between primary Examiner Bradley L. Sisson and Applicant's representative Paul J. Skwierawski, Reg. No. 32,173, a personal Interview conducted at the Examiner's Office on 9 September 2003, and a telephonic Interview conducted on 29 September 2003. Applicant and the undersigned representative gratefully acknowledge such Interviews, and thank the Examiner for the same.

An Examiner's Interview Summary mailed 15 September 2003 is directed to the personal Examiner Interview held 9 September 2003 between Applicant's

OSHIDA *et al.*, SN 09/678,652
Preliminary Amdt filed 10/15/2003

Docket 500.39147X00/E5532-01EX
Page 2

representative and the primary Examiner. In the 9 September Interview, as set forth in the Continuation Sheet PTOL-413 attachment:

- the primary Examiner contended that the claims did not contain sufficient features/limitations, and made suggestions as to additional claim features/limitations;
- the primary Examiner further contended that the claimed method may not be sufficiently supported by the written description, and made general reference to the breadth of Claim 1;
- the primary Examiner also questioned the type of information gathered by the claimed method, interpretation of the information gathered, and its end use;
- the primary Examiner further questioned the one-dimensional configuration of lights in Claim 2, indicating that he considered one-dimensional to be a single point;
- the primary Examiner also questioned the use of the phrase "oblique incident angle" in Claim 11, indicating that he considered oblique to be an angle less than ninety degrees; and
- Applicant's representative indicated that a proposed amendment to the claims would be promptly forwarded to the Examiner for consideration and discussion.

Although the substance of the 9 September 2003 Interview is accurate as indicated in the Continuation Form PTOL-413 attachment to the Examiner Interview Summary mailed 15 September 2003, Applicant submits the following comments for the record:

- Applicant will adopt appropriate ones of claim features/limitations as suggested by the primary Examiner in a preliminary RCE Amendment to be filed shortly;
- while the primary Examiner only has made vague, unsupported contentions that the claimed method may not be supported by the application as filed, there has been no

OSHIDA *et al.*, SN 09/678,652
Preliminary Amdt filed 10/15/2003

Docket 500.39147X00/E5532-01EX
Page 3

specific element, point or feature of the claimed invention which has been shown in fact to be "unsupported by the written description," so Applicant cannot address such sweeping and indefinite allegation, the breadth of Claim 1 notwithstanding;

- examples of information gathered are given from the very beginning and throughout the written description, e.g., at page 2, lines 7 and 8, lines 11-13, and lines 18-21, though as to the end use of this invention, such an example listing might well entail a greater volume than the present application itself;
- the primary Examiner is mistaken in the belief that "one-dimensional" refers to a single point, since one dimension must by definition contain at least two points to define the plane of dimension, as defined by a segment, ray, line, arc, etc., and the Applicant attaches the definition of "dimension" for assistance to the Examiner;
- the primary Examiner also is mistaken in his believe that an oblique angle is an angle less than ninety degrees, since an oblique angle may be acute or obtuse, just not ninety degrees or is multiples, and the Applicant again attaches the definition of "oblique angle" for assistance to the Examiner; and
- Applicant presented a proposed amended Claim 1 to the Examiner via facsimile transmission on 16 September 2003.

An Examiner's Interview Summary mailed 29 September 2003 is directed to the telephonic Examiner Interview held 24 September 2003 between Applicant's representative and the primary Examiner. In the 24 September Interview, as set forth in the Continuation Sheet PTOL-413 attachment:

- the primary Examiner pointed out a few inconsistencies and informalities with regard to the proposed amended Claim 1;

OSHIDA et al., SN 09/678,652
Preliminary Amdt filed 10/15/2003

Docket 500.39147X00/E5532-01EX
Page 4

- the primary Examiner further suggested rewriting the claim to be directed to the inspection of hybridized target DNA rather than the inspection of a chip;
- the primary Examiner also suggested rewriting the claim in Jepson format; and
- Applicant's representative indicated that a completed and clarifying Preliminary Amendment would be promptly forthcoming.

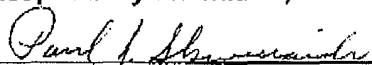
Although the substance of the 24 September 2003 Interview is accurate as indicated in the Continuation Form PTOL-413 attachment to the Examiner Interview Summary mailed 29 September 2003, Applicant submits the following comments for the record:

- Claim 1 will be reviewed and carefully amended to adopt the appropriate ones of the Examiner's helpful suggestions for curing the inconsistencies and indefinite features.

CONCLUSION

A Preliminary RCE Amendment will be filed shortly prior to a first Action on the merits in the subject application. No Petition or fee is required or possible for entry of this paper. Please charge any shortage in the fees due in connection with the filing of this paper to ATS&K Deposit Account No. 01-2135 (500.39147X00).

Respectfully submitted,


Paul J. Skwierawski, Registration No. 32,173
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209-3801, USA
Telephone 703-312-6600
Facsimile 703-312-6666

ATTACHMENTS:

- Definition of "dimension" (one page)
- Definition of "oblique angle" (one page)

RECEIVED
CENTRAL FAX CENTER

OCT 16 2003

OFFICIAL

dimension, in mathematics. The Columbia Encyclopedia, Sixth Edition. 2001

Page 1 of 2

**Jones International University:**

Earn your degree online. JIU offers accredited bachelor, MBA, MA and M.Ed. degrees plus certificate programs. Study when ...

Bartleby.com
Great Books Online

Search

Home | Subjects | Titles | Authors | Encyclopedia | Dictionary | Thesaurus | Quotations | English Usage

Reference > Columbia Encyclopedia

< PREVIOUS NEXT >

[CONTENTS](#) · [INDEX](#) · [GUIDE](#) · [BIBLIOGRAPHIC RECORD](#)

The Columbia Encyclopedia, Sixth Edition. 2001.

dimension, in mathematics

in mathematics, number of parameters or coordinates required locally to describe points in a mathematical object (usually geometric in character). For example, the space we inhabit is three-dimensional, a plane or surface is two-dimensional, a line or curve is one-dimensional, and a point is zero-dimensional. By means of a coordinate system one can specify any point with respect to a chosen origin (and coordinate axes through the origin, in the case of two or more dimensions). Thus, a point on a line is specified by a number x giving its distance from the origin, with one direction chosen as positive and the other as negative; a point on a plane is specified by an ordered pair of numbers (x,y) giving its distances from the two coordinate axes; a point in space is specified by an ordered triple of numbers (x,y,z) giving its distances from three coordinate axes. Mathematicians are thus led by analogy to define an ordered set of four, five, or more numbers as representing a point in what they define as a space of four, five, or more dimensions. Although such spaces cannot be visualized, they may nevertheless be physically significant. For example, the quadruple of numbers (x,y,z,t) , where t represents time, is sometimes interpreted as a point in four-dimensional space-time (see [relativity](#)). The state of the weather or the economy, in current models, is a point in a many-dimensional space. Many features of plane and solid Euclidean geometry have mathematical analogues in higher dimensional spaces.

The Columbia Encyclopedia, Sixth Edition. Copyright © 2003 Columbia University Press.

<http://www.bartleby.com/65/di/dimens-mth.html>

10/15/2003

El
Nu
Cl
wit
pr
ww

Sk
Li
In
pr
sk
ort
arr
m7:

Au
Ca
Fr
ch
wit
ex
ww

oblique angle. The American Heritage® Dictionary of the ...: Fourth Edition. 2000 Page 1 of 1



Bartleby.com
Great Books Online

Search Dictionary

Home | Subjects | Titles | Authors | Encyclopedia | Dictionary | Thesaurus | Quotations | English Usage

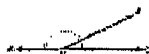
Reference > American Heritage® > Dictionary

< oblique oblique rhyme >

[CONTENTS](#) · [INDEX](#) · [ILLUSTRATIONS](#) · [BIBLIOGRAPHIC RECORD](#)

The American Heritage® Dictionary of the English Language: Fourth Edition. 2000.

oblique angle



NOUN: An angle, such as an acute or obtuse angle, that is not a right angle or a multiple of a right angle.

The American Heritage® Dictionary of the English Language, Fourth Edition. Copyright © 2000 by Houghton Mifflin Company. Published by the Houghton Mifflin Company. All rights reserved.

[CONTENTS](#) · [INDEX](#) · [ILLUSTRATIONS](#) · [BIBLIOGRAPHIC RECORD](#)

< oblique oblique rhyme >

Search Amazon:

Click [here](#) to shop the Bartleby Bookstore.

[Welcome](#) · [Press](#) · [Advertising](#) · [Linking](#) · [Terms of Use](#) · © 2003 [Bartleby.com](#)



Ro
So
Le
La
Ro
So
WI
www

Ra
fro
Col
lar
ins
pri
lar
www
doc

Co
T
Ne
T
Inv
Wi
& I
eC

Ra
co
Ge
de
St
CO
24
247